

Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ ENCOURAGING FISCAL RESPONSIBILITY IN THE EARMARKING PROCESS.**

(a) IN GENERAL.—If an entity is properly awarded an earmark as defined in section 103, the entire amount of the earmark shall be transferred to the entity to be expended for the essential governmental purpose of the earmark.

(b) AGENCY PROHIBITION.—Earmarked funds shall not be spent by the authorizing department or agency (unless specifically authorized in the section of the appropriations bill or report containing the earmark) and shall instead be returned to the Treasury for the purposes of deficit reduction.

**SA 48.** Mr. BOND (for Mr. COBURN) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

On page 38, between lines 5 and 6, insert the following:

**SEC. 223. LOBBYING DISCLOSURE AND PUBLIC AVAILABILITY OF FORMS FILED BY RECIPIENTS OF FEDERAL FUNDS AND CONTRACTS.**

(a) LOBBYING DISCLOSURE.—Section 1352(b)(2) of title 31, United States Code, is amended—

(1) in subparagraph (A), by striking “and” after the semicolon;

(2) in subparagraph (B), by striking the period and inserting “; and”; and

(3) by adding at the end the following: “(C) an itemization of any funds spent by the person for lobbying on a calendar year basis.”

(b) PUBLIC AVAILABILITY.—Section 1352(b) of title 31, United States Code, is amended by adding at the end the following:

“(7) Declarations required to be filed by paragraph (1) shall be made available by the Office of Management and Budget on a public, fully searchable website that shall be updated quarterly.”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 6 months after the date of enactment of this Act.

**SA 49.** Mr. BOND (for Mr. COBURN) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

At the end of subtitle A of title II, insert the following:

**SEC. 225. SUBMISSION OF EARMARKS ON A UNIFORM FORM.**

(a) IN GENERAL.—Each Member of the Senate shall submit any request for—

(1) an appropriations earmark to the Committee on Appropriations of the Senate;

(2) a tax benefit earmark to the Committee on Finance of the Senate; and

(3) any other earmark to the appropriate committee of jurisdiction.

(b) UNIFORM FORM.—

(1) IN GENERAL.—Each request for an earmark under subsection (a) shall be submitted on a standardized form.

(2) RULES COMMITTEE.—The form described in paragraph (1) shall be developed by the Committee on Rules and Administration of the Senate.

(3) REQUIRED CONTENT.—The form described in paragraph (1), shall at a minimum, include the following:

(A) The name of the Member requesting the earmark.

(B) The name of each entity that would be the recipient of the earmark, including the name of the parent entity of such recipient, if such recipient is owned by another entity. If there is no specifically intended recipient, then the form shall require the Member to identify the intended location or activity that will benefit from the earmark. In the case of an earmark that contains a limited tax or tariff benefit, the Member shall identify the individual or entity reasonably anticipated to benefit from the earmark (to the extent known by the Member).

(C) The amount requested in the earmark.

(D) The Department or agency from which the amounts requested in the earmark are expected to be provided (if known by the Member).

(E) The appropriations bill from which the amounts requested in the earmark are expected to be provided (if known by the Member).

(F) A description of the earmark, including its purpose, goals, and expected outcomes.

(G) The location and address of each entity that would be the recipient of the earmark and the primary location of the activities funded by the earmark, including the State, city, congressional district, and country of such activities.

(H) Whether the earmark is funding an ongoing or a new activity or initiative and the expected duration of such activity or initiative.

(I) The source and amount of any other funding for the activity or initiative funded by the earmark, including any other Federal, State, local, or private funding for such activity or initiative.

(J) Contact information for the entity that would be the recipient of the earmark, including the name, phone number, postal mailing address, and email for such entity.

(K) If the activity or initiative funded by the earmark is authorized by Federal law. If so, the Member shall provide the public law number and United States Code citation for such authorization.

(L) The budget outline for such activity or initiative funded by the earmark, including—

(i) the amount needed to complete the activity or initiative; and

(ii) whether or not the Member, the spouse of the Member, an immediate family member of the Member, a member of the Member's staff, or an immediate family member of a member of the Member's Senator's staff has a financial interest in the earmark.

(4) PUBLIC ACCOUNTABILITY.—

(A) IN GENERAL.—Not later than 7 days after the date that a request for an earmark is submitted under this section, the Committee on Appropriations of the Senate shall make the request available to the public on the Internet website of such committee, without fee or other access charge, in a searchable, sortable, and downloadable manner.

(B) RECORDKEEPING.—The Committee on Appropriations of the Senate shall maintain records of all requests made available under subparagraph (A) for a period of not less than 6 years.

(c) DEFINITIONS.—In this section:

(1) EARMARK.—The term “earmark” means—

(A) a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process;

(B) any revenue-losing provision that—

(i) provides a Federal tax deduction, credit, exclusion, or preference to 10 or fewer beneficiaries under the Internal Revenue Code of 1986; and

(ii) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision;

(C) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986; and

(D) any provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(2) IMMEDIATE FAMILY MEMBER.—The term “immediate family member” means the son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, or stepsister of a person.

**SA 50.** Mr. BOND (for Mr. COBURN) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, to provide greater transparency in the legislative process; as follows:

Strike section 108 and insert the following:  
**SEC. 108. DISCLOSURE FOR GIFTS FROM LOBBYISTS.**

Paragraph 1(a) of rule XXXV of the Standing Rules of the Senate is amended—

(1) in clause (2), by striking the last sentence and inserting “Formal record keeping is required by this paragraph as set out in clause (3).”; and

(2) by adding at the end the following:

“(3)(A) Not later than 48 hours after a gift has been accepted, each Member, officer, or employee shall post on the Member's Senate website, in a clear and noticeable manner, the following:

“(i) The nature of the gift received.

“(ii) The value of the gift received.

“(iii) The name of the person or entity providing the gift.

“(iv) The city and State where the person or entity resides.

“(v) Whether that person is a registered lobbyist, and if so, the name of the client for whom the lobbyist is providing the gift and the city and State where the client resides.

“(B) Not later than 30 days after the adoption of this clause, the Committee on Rules and Administration shall, in consultation with the Select Committee on Ethics and the Secretary of the Senate, proscribe the uniform format by which the postings in subclause (A) shall be established.”

Strike section 109 and insert the following:  
**SEC. 109. DISCLOSURE OF TRAVEL.**

Paragraph 2 of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

“(h)(1) Not later than 48 hours after a Member, officer, or employee has accepted